

# **EXHIBIT 86**

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X  
MARVEL CHARACTERS, INC.,

Plaintiff and Counterclaim-Defendant,

-against-

Case No.:

1:21-cv-7955-LAK

and consolidated

cases, Nos.:

21-cv-7957 LAK and

21-cv-7959 LAK

LAWRENCE D. LIEBER,

Defendant and Counterclaimant.

-----X  
MARVEL CHARACTERS, INC.,

Plaintiff and Counterclaim-Defendant,

-against-

KEITH A. DETTWILER, in his capacity as  
Executor of the Estate of Donald L. Heck,  
Defendant and Counterclaimant.

-----X  
MARVEL CHARACTERS, INC.,

Plaintiff and Counterclaim-Defendant,

-against-

PATRICK S. DITKO, in his capacity as  
Administrator of the Estate of Stephen J.  
Ditko,

Defendant and Counterclaimant.

-----X

DATE: October 25, 2022

TIME: 9:41 A.M.

(Caption continues on following page.)

1  
2 REALTIME VIDEOTAPED DEPOSITION  
3 of the Defendant, LARRY LIEBER, taken by  
4 the Plaintiff and Counterclaim-Defendant,  
5 pursuant to a Court Order and to the  
6 Federal Rules of Civil Procedure, held at  
7 the offices of O'Melveny & Myers, LLP, 7  
8 Times Square, Times Square Tower, New York,  
9 New York 10036, before Karyn Chiusano, a  
10 Notary Public of the State of New York.  
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25

A P P E A R A N C E S:

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Counterclaim-Defendant  
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ALSO PRESENT:

MARCELO RIVERA, Videographer

MOLLY LENS, O'Melveny & Myers, LLP

DANIELLE FEUER, O'Melveny & Myers, LLP

ELI BARD, via Zoom

JAYMIE PARKKINEN, via Zoom

\* \* \*

## F E D E R A L S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED by and between the counsel for the respective parties herein that the sealing, filing and certification of the within deposition be waived; that the original of the deposition may be signed and sworn to by the witness before anyone authorized to administer an oath, with the same effect as if signed before a Judge of the Court; that an unsigned copy of the deposition may be used with the same force and effect as if signed by the witness, 30 days after service of the original & 1 copy of same upon counsel for the witness.

IT IS FURTHER STIPULATED AND AGREED that all objections except as to form, are reserved to the time of trial.

\* \* \* \*

1 LARRY LIEBER

2 Q. Okay.

3 A. -- as long as they accepted my  
4 work, they paid me for it.

5 Q. And you said Stan always  
6 accepted your work; correct?

7 MR. TOBEROFF: Misstates his  
8 testimony.

9 Q. You can answer.

10 A. Yes.

11 Wait a minute. As far as I  
12 know, yes. Stan always -- I can't recall  
13 him not.

14 Q. Have you made any attempt to  
15 get a copy of those checks from 1958 to  
16 1965?

17 A. No.

18 I don't even -- no.

19 Q. Let me ask you about some of  
20 the characters.

21 You worked on "IRON MAN";  
22 right?

23 A. Yes.

24 Q. You wrote the script; right?

25 A. Yes.

LARRY LIEBER  
E X H I B I T S

PLAINTIFF'S EXHIBITS

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1	Letter being dated January 31, 2011	23
2	Deposition transcript with attached errata sheet	31
3	Document, entitled "A Conversation with Artist-Writer Larry Lieber, conducted & Edited by Roy Thomas, Transcribed by Jon B. Knutson"	35
4	Document entitled: "Comic Book Marketplace, Special Halloween Horror-Fest! Jim Warren's Creepy & Eerie! Plus: Grisly, Gruesome and Ghastly...Pre-Code	

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7		"Tribute: 2003 Kirby Tribute	
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10		Century Danny Boy"	49
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12		Stan Lee on cover, entitled:	
13		"Special STAN LEE 85th	
14		Birthday Issue!"	51
15	9	Document, entitled:	
16		"Alter Ego, It Finally	
17		Happens! Jack Kirby Takes	
18		Over Alter Ego!"	54
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21		Issue Icons Interview of	
22		Larry Lieber"	62
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6	18	E-mail	86
7	19	E-mail from Marvel: August	
8		1961 Omnibus Introduction	
9		from Cory Sedimeier,	
10		dated Thursday, January	
11		28, 2021 at 7:10 A.M.	93
12	20	"Tales of Suspense,	
13		"IRON MAN" He Lives!	
14		He Walks! He Conquers!"	158
15	21	One-page document,	
16		entitled "RAWHIDE KID"	
17		Gunfight with Yerby's	
18		Yahoos!"	176
19	22	Contract, beginning with	
20		the words: "AGREEMENT made	
21		this 14 day of June, 1978,	
22		by and between Larry	
23		Lieber"	182
24	23	Complaint for Declaratory	
25		Relief	216

## LARRY LIEBER

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LARRY LIEBER

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INFORMATION AND/OR DOCUMENTS REQUESTED	
INFORMATION AND/OR DOCUMENTS	PAGE
(None)	

QUESTIONS MARKED FOR RULINGS

PAGE LINE QUESTION

72 6 Mr. Lieber, you did speak to  
your counsel during the break;  
is that correct?

LARRY LIEBER

C E R T I F I C A T E

STATE OF NEW YORK )  
: SS.:  
COUNTY OF NEW YORK )

I, KARYN CHIOUSANO, a Notary Public  
for and within the State of New York, do  
hereby certify:

That the witness whose examination is  
hereinbefore set forth was duly sworn and  
that such examination is a true record of  
the testimony given by that witness.

I further certify that I am not  
related to any of the parties to this  
action by blood or by marriage and that I  
am in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 17th day of November,  
2022.

  
<%18034, Signature%>

KARYN CHIOUSANO